

Dingell, Stupak: New GAO Report Demonstrates Need for Strengthening Nuclear Safety

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Dingell

and Stupak said the report confirmed their concerns about how safety has taken a backseat at DOE because the offices responsible for safety also face competing concerns in the areas of productivity.

"Without

strong independent oversight, self-regulation is bound to fail," said Dingell. "This GAO report underscores the Administration's blind loyalty to a failed deregulatory model that has essentially placed safety in direct competition with productivity at high-hazard nuclear facilities."

"A year ago, GAO found that the nuclear weapons laboratories continue to experience persistent safety problems due to lax attitudes regarding safety enforcement and inadequate safety oversight. GAO's most recent report on nuclear safety confirms the need for immediate attention to DOE's nuclear safety oversight," said Rep. Bart Stupak (D-MI), Chairman of the Subcommittee on Oversight and Investigations.

Unlike private sector nuclear power plants, the Department of Energy (DOE) is "self-regulating" with respect to nuclear safety; the Atomic Energy Act allows DOE to license and inspect the safety of its own nuclear operations. However, as the GAO report points out, self-regulation creates a conflict of interest between DOE's production and cost imperatives and proper independent safety oversight and regulation. An independent licensing and oversight office is key to balancing the demands of productivity and nuclear safety.

The GAO report found: "DOE has structured its independent oversight office, the Office of Health, Safety, and Security (HSS), in a way that falls short of meeting our key elements of effective independent oversight of nuclear safety."

In particular, GAO noted that HSS's ability to independently review nuclear facilities is limited because:

- it has no role in approving the "safety basis"-a technical analysis that helps ensure safe design and operation of these facilities;
- it has no personnel at DOE sites to provide independent safety observations; and
- although HSS conducts periodic site inspections and identifies deficiencies that must be addressed, there are gaps in its inspection schedule and it lacks accurate information on the number and status of nuclear facilities.

GAO further suggested that HSS should:

- strengthen its enforcement actions to preclude recurring violations of nuclear safety regulations and

- increase public access to unclassified safety reports.

GAO

concluded: "HSS falls short of fully meeting our five key elements of effective oversight of nuclear safety: independence, technical expertise, ability to perform reviews and require that its findings are addressed, enforcement authority, and public access. First, we found that HSS has no role in reviewing the safety basis for new high-hazard nuclear facilities, no routine site presence, and its head is not comparable in rank to the program office heads. Second, HSS does not have some technical expertise in nuclear safety review and has vacancies in critical nuclear safety positions. Third, HSS lacks basic information about nuclear facilities, has gaps in its site inspection schedule, and does not routinely ensure that its findings are effectively addressed. Fourth, HSS enforcement actions have not prevented some recurring nuclear safety violations. Finally, HSS restricts public access to nuclear safety information."

GAO

further urged Congress to consider shifting DOE to external regulation (by the Defense Facilities Safety Board or the Nuclear Regulatory Commission) should DOE fail to take appropriate measures to address GAO's recommendations.

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